

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X
DIONNE LEE

Plaintiff

RICHARD K. BAWUAH and
COWAN EQUIPMENT LEASING

Civil Action No. 07-cv-9917

Defendants

-----X

**DEFENDANTS RICHARD K. BAWUAH AND COWAN EQUIPMENT LEASING'S
MOTION IN LIMINE TO APPLY NEW JERSEY SUBSTANTIVE LAW AND TO
INSTRUCT JURY ON NEW JERSEY'S MODIFIED COMPARATIVE FAULT
STANDARD**

PLEASE TAKE NOTICE that on the ____ day of _____, 2008, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned shall apply to the Honorable Andrew J. Peck, U.S.M.J. at the United States District Court, Southern District of New York, located at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York City, New York 10007-1312 on behalf of Defendants, Richard K. Bawuah and Cowan Equipment Leasing in the above-captioned matter for an Order Applying New Jersey Substantive Law and to Instruct the Jury on New Jersey's Modified Comparative Fault Negligence Standard, at the Time of Trial in this matter.

The moving defendants shall rely on the annexed Certification of Counsel, Exhibits and Legal Brief in support of this Notice of Motion.

PLEASE TAKE FURTHER NOTICE oral argument is requested.

Date: New York, New York
July 10, 2008

Yours, etc.,

RAWLE & HENDERSON LLP

By: 

Jeffrey A. Segal

Attorneys for Defendants Richard K. Bawuah
and Cowan Equipment Leasing
Suite 4636

140 Broadway, 46th Floor

New York, New York 10005

(212)858-7570

File No. 801,840

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within-captioned Motion to Apply New Jersey Substantive Law and Instruct Jury on New Jersey's Comparative Fault Standard, and Memorandum of Law was served via ECF filing and regular mail, on counsel of record addressed as follows:

Winston B. Rouse, Esquire
901 Sheridan Avenue
Bronx, NY 10451

RAWLE & HENDERSON LLP

By: _____
Jeffrey A. Segal
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Date: July , 2008